

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re: Denise L. Blake,)	Case No. 16 B 22368
)	Chapter 13
)	Judge Deborah L. Thorne
)	
<hr style="border: 0.5px solid black;"/>		
)	
Marilyn O. Marshall,)	
)	
Appellant,)	
)	
v.)	
)	
Denise L. Blake,)	
)	
Appellee.)	

TRUSTEE/APPELLANT'S DESIGNATION OF RECORD ON APPEAL

1. Chapter 13 Voluntary Petition filed 07/12/16 (Docket No. 1).
2. Schedules A,B,C,D,E,F,G,H,I, and J with Declaration filed 07/26/16 (Docket No. 10).
3. Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period for 3 Years (Form 122C-1) filed 07/26/16 (Docket No. 12).
4. Chapter 13 Plan filed 7/26/16 (Docket No. 13).
5. Notice of Motion and Motion to Extend the Automatic Stay filed 7/27/17(Docket No. 14).
6. Order granting Motion to Extend Automatic Stay filed 8/08/26 (Docket No. 20).
7. Notice of Motion and Motion to Dismiss Debtor for Unreasonable Delay filed 09/08/16 (Docket No. 24).
8. Amended Schedules I, J filed 09/16/16 (Docket No. 28).
9. Modified Chapter 13 Plan filed 09/16/16 (Docket No. 29).

10. Declaration About Individual Debtor's Schedules file 09/16/16 (Docket No. 30).
11. Amended Schedules I, J, with Declaration filed 12/07/16 (Docket No. 48).
12. Memorandum in support of retention of earned income tax credit filed 01/10/17 (Docket No. 56).
13. Response filed 1/20/17 (Docket No. 59).
14. Memorandum Opinion (Docket No. 70).
15. Amended Schedules I,J, with Declaration filed 04/04/17(Docket No. 72).
16. Modified Chapter 13 Plan filed 04/04/17 (Docket No. 73).
17. Modified Chapter 13 Plan filed 04/27/17 (Docket No. 79).
18. Amended Schedules J with Declaration filed 05/01/17 (Docket No. 81).
19. Order Confirming Chapter 13 Plan (Docket No. 83).
20. Notice of Appeal filed 05/16/17(Docket No. 84).
21. Notice of Motion and Motion for Certification of Direct Appeal to Appeal Court filed 05/16/17 (Docket No. 84).
22. Response filed 06/15/17 (Docket No. 91).
23. Order Show Cause Why the Court Should not Deny the Trustees Motion to Request Certification for Direct Appeal to the United States Court of Appeals for the Seventh Circuit for Lack of Jurisdiction (Docket No, 93).
24. Reply filed 06/28/17 (Docket No. 94).
25. Order Denying without prejudice Motion for Request for Certification of Direct Appeal to Appeal Court (Docket No. 96).
26. Docket Report for Case 16-22368.
27. Transcript regarding Hearing Held 11/28/2017.
28. Transcript regarding Hearing Held 03/15/2017.
29. Transcript regarding Hearing Held 05/03/2017.

Respectfully Submitted,

Lauren L. Tobiason
Attorney for Appellant, Marilyn O. Marshall

Lauren L. Tobiason
A. Stewart Chapman
Marilyn O. Marshall, Trustee
224 S. Michigan Ave., Suite 800
Chicago, IL 60604

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re: Denise L. Blake,)	Case No. 16 B 22368
)	Chapter 13
)	Judge Deborah L. Thorne
)	

—)		
Marilyn O. Marshall,)	
Appellant,)	
)	
v.)	
)	
Denise L. Blake,)	
Appellee.)	

STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL

1. Whether income tax credits and income tax over-withholdings are “disposable income” pursuant to section 1325(b) that must be committed to the debtor’s Chapter 13 Plan.

2. Whether sections 101(10A) and 1325 (b)(2) require a below-median debtor to prorate estimated income tax credits and income tax over-withholding on Schedule I in order to avoid the Trustee’s objection pursuant to section 1325 (b)(1)(B) to confirmation of the Chapter 13 plan.

3. Whether prorated income on Schedule I and prorated estimated expenses on Schedule J are subject only to the “reasonably necessary” requirement of section 1325(b)(2) and are not required to be feasible, actual, and accurate pursuant to section 1325(a).

Respectfully Submitted,

Lauren L. Tobiason
Attorney for Appellant, Marilyn O. Marshall

Lauren L. Tobiason
A. Stewart Chapman
Marilyn O. Marshall, Trustee
224 S. Michigan Ave., Suite 800
Chicago, IL 60604